

**PLEA MINUTE SHEET**  
**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

**CR - MV 12-1911-MV****UNITED STATES vs. Jose A. Herrera**

**Before The Honorable Martha Vázquez, United States District Judge**

Hearing Date:	November 19, 2013	Time In and Out:	9:58 a.m. / 10:20 a.m. Total Time in Court = 22 minutes		
Clerk:	Linda Romero	Court Reporter:	Susan Sperry		
Defendant:	Jose A. Herrera	Defendant's Counsel:	Erlinda Johnson		
AUSA:	Samuel Hurtado	Interpreter:	none		Sworn
X	Defendant Sworn				
X	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.				
X	Terms and conditions of proposed plea agreement explained.				
X	Factual predicate to sustain the plea provided.				
X	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.				
X	Court finds defendant competent to proceed.				
X	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).				
X	Deft questioned re time to consult with attorney and if satisfied with his or her representation.				
X	Court finds Deft fully understands charge(s), terms of plea, and the consequences of entry into plea agreement.				
X	Deft pleads GUILTY to: Conspiracy – possession w/intent to distribute a controlled substance				
X	Allocution by Deft on elements of charge(s).				
X	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.				
X	Deft adjudged guilty.				
X	Sentencing Date: November 19, 2013				
X	Defendant to Remain in Custody				
	Present conditions of release continued		Conditions changed to:		
	Penalty for failure to appear explained				
	Presentence Report Ordered		<b>Expedited (Type III)</b>		
X	Other Matters: Court addresses defendant. Defense counsel addresses Court and reviews terms of plea agreement. Government counsel addresses Court.				